

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

WHEELWRIGHT UTILITY COMMISSION)	
)	
_____)	CASE NO. 99-221
)	
ALLEGED VIOLATIONS OF)	
ADMINISTRATIVE REGULATION)	
807 KAR 5:022 AND 49 CFR 189-199)	

O R D E R

Wheelwright Utility Commission ("Wheelwright") is a municipally owned natural gas distribution system, which serves the city of Wheelwright, Kentucky.

Wheelwright, as a municipally owned gas distribution system, is subject to the safety jurisdiction of the Public Service Commission of Kentucky (Commission), pursuant to KRS 278.495(2). Wheelwright is also subject to Commission jurisdiction under the authority of and in compliance with federal pipeline safety laws, 49 U.S.C. § 60101, *et seq.*, and the regulations of 49 CFR 189-199. KRS 278.992.

Pursuant to these statutes and 49 CFR 189-199, the Commission promulgated Administrative Regulation 807 KAR 5:022. Commission Staff has submitted to the Commission a Comprehensive Inspection Report, dated April 30, 1999, in which Commission Staff alleges the following four violations:

1. Odorant checks were not conducted during 1998. 807 KAR 5:022, Section 13(17)g, and 49 CFR Part 192.625 (f). This is a repeat violation.
2. System patrolling was not done in 1998. 807 KAR 5:022, Section 14(12) and 49 CFR Part 192.721.

3. No warning signs are located at regulator stations. 807 KAR 5:022, Section 14(13) and 49 CFR Part 192.723.

4. No valve inspection records exist for the year 1998. 807 KAR 5:022, Section 14(25) and 49 CFR Part 192.747.

Based on its review of the Comprehensive Inspection Report, and being otherwise sufficiently advised, the Commission finds that *prima facie* evidence exists that Wheelwright has failed to comply with Administrative Regulation 807 KAR 5:022.

The Commission, on its own motion, HEREBY ORDERS that:

1. Wheelwright shall appear before the Commission on July 13, 1999, at 1:30 p.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purposes of presenting evidence concerning the alleged violations of the regulations cited herein, and of showing cause why it should not be subject to the penalties prescribed in KRS 278.992(1) for these alleged violations.

2. The Comprehensive Inspection Report of Wheelwright, dated April 30, 1999, a copy of which is appended hereto, is made part of the record of this proceeding.

3. Wheelwright shall submit to the Commission within 20 days of the date of this Order a written response to the allegations contained in the Comprehensive Inspection Report.

4. Any motion requesting an informal conference with Commission Staff to consider any matter which would aid in the handling or disposition of this proceeding shall be filed with the Commission no later than 20 days from the date of this Order.

Done at Frankfort, Kentucky, this 8th day of June, 1999.

By the Commission

ATTEST:

Executive Director